

HS5: Matter 3 – Are the rates informed by, and consistent with, the evidence available?

Issue 2 – Strategic Residential-led and Mixed-Use Allocations

QUESTION 1

What is the justification for the different levy rates for strategic sites R01 – R03? In particular, how did the Council determine the site-specific levy rates for R02 and R03 and why are they not nil rates in the same way as the Dunton Hills Garden Village?

- Paragraph 10-005-20180724 of the PPG suggests that Strategic Sites are tested individually. The three sites have been tested in the same way, using the best available estimates of the strategic infrastructure and mitigation costs as set out in Table 7.1 of CSD6, Viability Assessment Update (August 2022).

	Units	Area ha	£	£/unit
Officers Meadows masterplan area	825	38.74	£23,884,210	£28,951
West Horndon masterplan	580	17.25	£13,394,051	£23,093
Dunton Hills Garden Village	4,000	257.00	£168,681,590	£42,170

- The CIL regulations do not permit a strategic site to be zero rated simply because it is a strategic site, rather it is important that the rates of CIL are informed by the viability evidence.
- The development appraisals include the above costs as a cost (the typologies assume £2,500/unit). They are also modelled on the gross site area. Whilst the strategic infrastructure and mitigation costs, on a per unit basis are less on the West Horndon site, this site has additional costs associated with brownfield development associated with it, that are reflected in the lower rate.

QUESTION 2

How would non-residential uses be considered as part of the Dunton Hills Garden Village? For example, would retail and industrial uses be liable for CIL?

4. Yes, non-residential uses at Dunton Hills Garden Village would be liable for CIL. An outline planning application for Dunton Hills Garden Village (ref: 21/01525/OUT) was submitted in September 2021 and pending determination. This application details the proposed amount of net additional non-residential floorspace which comprises the following:
- Other Class E: 36,500m²
 - B8 – Storage or Distribution: 8,600m²
 - Other Sui Generis – Public Houses, Hot Food Takeaways: 1,300m²

QUESTION 3

Are the strategic site rates based on appropriate available evidence?

5. Yes. Please also see our response to Matter 2, Issue 2, Questions 3 and 4.
6. The strategic sites have been tested in the same way as the other types of development. What sets the strategic sites apart from the development represented by the typologies is the strategic infrastructure and mitigation costs. These costs are based on the best available estimates of the strategic infrastructure and mitigation costs as set out in Table 7.12 of CSD6, Viability Assessment Update (August 2022) and indexed to reflect inflation.
7. Paragraph 25-017-20190901 of the PPG sets out that:

Information on the charging authority area's infrastructure needs should be drawn from the infrastructure assessment that was undertaken when preparing the relevant plan (the Local Plan and the London Plan in London) and their CIL charging schedules. This is because the plan identifies the scale and type of infrastructure needed to deliver the area's local development and growth needs (see paragraph 34 of the National Planning Policy Framework)...

...The Community Infrastructure Levy examination should not re-open infrastructure planning issues that have already been considered in putting in place a sound and relevant plan.

8. This is the approach taken, although the costs of Infrastructure have been indexed, as set out in Table 7.12 of CSD6, Viability Assessment Update (August 2022).